

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE CATV POLE ATTACHMENT)	ADMINISTRATIVE
TARIFFS OF BEREA COLLEGE)	CASE NO. 251-23
ELECTRIC UTILITY DEPARTMENT)	

O R D E R

Procedural Background

On June 1, 1983, the Commission issued an Order rejecting the CATV pole attachment tariff filing of Berea College Electric Utility Department ("Berea") and directing Berea to file revised rates, rules and regulations governing CATV pole attachments. On June 24, 1983, the Kentucky Cable Television Association, Inc., ("KCTA") filed a petition to rehear, reconsider and modify paragraph 4 of the Order of June 1, 1983. On June 29, 1983, Berea filed a revised pole attachment tariff and supporting workpapers.

FINDINGS

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. In finding 4 of the June 1, 1983, Order the Commission found that, as Berea does not segregate the cost of major appurtenances, 22 percent should be deducted from its pole account in calculating its bare pole cost. KCTA's

petition argues that 35 percent should be deducted in calculating Berea's bare pole cost. The Commission's Orders of August 12, 1982, and September 17, 1982, in Administrative Case No. 251, The Adoption of a Standard Methodology for Establishing Rates for CATV Pole Attachments, established uniform methods of estimating bare pole costs for telephone utilities and electric utilities that do not account separately for all appurtenances. For telephone utilities, the method consisted of deducting 22 percent for all appurtenances. For electric utilities, the method consisted of excluding 15 percent for minor appurtenances and deducting \$12.50 per ground. KCTA correctly argues that electric utilities make much greater use than telephone utilities of cross-arms and other appurtenances. Therefore, deducting 22 percent for all appurtenances is not adequate for electric utilities.

The Commission's Order of August 12, 1982, did not provide for electric utilities that do not segregate the cost of major appurtenances. Berea did not petition for reconsideration of that Order regarding Berea's failure to maintain separate records for all major appurtenances in account no. 364. The Amended Order of September 17, 1982, again did not provide for electric utilities that do not segregate the cost of major appurtenances. Therefore, to conform to the Commission's Amended Order of September 17, 1982, Berea should reconstruct separate cost records for major appurtenances, such as anchors, cross-arms and braces,

and estimate bare pole costs by deducting the cost of the major appurtenances plus 15 percent for minor appurtenances, such as aerial cable clamps and pole top pins, plus \$12.50 for ground wires.

2. Berea's rules and regulations governing CATV pole attachments conform to the principles and findings of the Commission's Order of June 1, 1983, and would be approved, except for the following objections:

(a) In section 4.01 Berea should state that the CATV company may attach to Berea's poles where space is or can be made available.

(b) In section 4.06(b) if Berea performs any relocation of CATV equipment, then the CATV company shall pay Berea the cost of such work, but Berea shall be held liable for any negligent damage it causes to CATV lines or equipment in doing such work.

(c) In section 4.09(a) Berea should give the CATV operator a 30-day notice prior to abandonment of a pole.

(d) In section 4.12, parts A and B should be deleted; they are totally unacceptable. Part C should say that service may be disrupted when the CATV company fails to comply with the provisions of this tariff.

(e) In section 3.02 the late charge should be the same as that applied to other customers.

II IS THEREFORE ORDERED that Berea's CATV pole attachment tariff filed with the Commission on June 29, 1983, be and it hereby is rejected.

IT IS FURTHER ORDERED that Berea shall file revised rates, rules and regulations governing CATV pole attachments with the Commission within 30 days from the date of this Order, and that the revised rates, rules and regulations shall conform to the findings of this Order.

IT IS FURTHER ORDERED that Berea shall file detailed workpapers supporting its revised rates at the same time it files its revised rates, rules and regulations.

Done at Frankfort, Kentucky, this 14th day of July, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary